

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Andrew Erik Heiderscheid,

Plaintiff,

v.

Case No. 18-cv-1180 (JNE/LIB)  
ORDER

Dakota County Sheriff's Office, et al.,

Defendants.

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In a Report and Recommendation ("R&R") dated July 22, 2020, the Honorable Leo Brisbois, United States Magistrate Judge, recommended that Defendants' motion for summary judgment be granted, Plaintiff's claims against the individual defendants be dismissed with prejudice, and Plaintiff's claims against the Dakota County Sheriff's Office be dismissed without prejudice. ECF No. 118. No objections were filed in the time period permitted.<sup>1</sup> Based on a de novo review of the record, the Court accepts the conclusions of the R&R. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3); D. Minn. LR 72.2. Therefore, IT IS ORDERED:

1. Defendants' Motion for Summary Judgment, ECF No. 83, is GRANTED;
2. Plaintiff's Amended Complaint as alleged against Defendant Dakota County Sheriff's Office is DISMISSED without prejudice; and

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<sup>1</sup> Mail to Plaintiff has been returned as undeliverable to the Clerk's Office. Plaintiff cannot argue that he did not receive notice of the present motion practice. The Court reminds Plaintiff that it is his responsibility to monitor the docket and the proceedings of the litigation that he initiated.

3. Plaintiff's Amended Complaint as alleged against Defendant Deputies Winfrey, Herrera, Smith, Themmes, Schak, Tyler, Fitzhenry, and Oppong is DISMISSED with prejudice.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: August 28, 2020

s/Joan N. Ericksen  
JOAN N. ERICKSEN  
United States District Judge